

AGENDA
North Miami City Council
776 N.E. 125th Street, 2nd Floor, Council Chambers
North Miami, FL 33161

REGULAR MEETING

TUESDAY, DECEMBER 10, 2013
7:00 P.M.

1. PLEDGE OF ALLEGIANCE

(Francheska Periche, Florida International University-Biscayne Bay Campus)

2. INVOCATION

(Pastor Thelma Knowles, Lively Stones for Jesus)

3. CALL TO ORDER / ROLL CALL OF MEMBERS

4. ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)

5. SPECIAL PRESENTATION(s)

◆ Certificate of Recognition in honor of World Aids Awareness Month

6. CITY EVENTS – ANNOUNCEMENT

7. CITY PROJECTS 2013 UPDATE

8. CITIZENS' FORUM

9. CONSENT AGENDA

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH D CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:

“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH D BE ADOPTED...”

[TAB A]

APPROVAL OF MINUTES – Regular Council Meeting – November 26, 2013

Sponsored by: Michael A. Etienne, City Clerk

[TAB B]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA AUTHORIZING THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK TO TAKE ALL NECESSARY ACTION AND TO EXECUTE ALL DOCUMENTS AFFECTING THE HEALTH, SAFETY AND WELFARE OF THE CITY DURING THE CITY COUNCIL'S RECESS COMMENCING DECEMBER 11, 2013 THROUGH JANUARY 13, 2014; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Stephen E. Johnson, City Manager

[TAB C]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE FISCAL YEAR 2013-2014 COMMUNITY REDEVELOPMENT AGENCY (CRA) BUDGET; AUTHORIZING THE CRA EXECUTIVE DIRECTOR TO TRANSMIT THE FISCAL YEAR 2013-2014 BUDGET TO MIAMI-DADE COUNTY; AND FURTHER AUTHORIZING THE CRA EXECUTIVE DIRECTOR TO TAKE ALL ACTIONS NECESSARY TO COMPLETE THE APPROVAL PROCESS FOR THE FISCAL YEAR 2013-2014 BUDGET WITH THE CITY OF NORTH MIAMI AND MIAMI-DADE COUNTY; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Stephen E. Johnson, City Manager

[TAB D]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER WITH FUNDS FROM THE CITY WATER AND SEWER ACCOUNT FOR THE PURCHASE OF TWO (2) 2014 FORD F-350 SD (F3C) PICKUP TRUCKS TO BE PLACED IN SERVICE BY THE PUBLIC WORKS DEPARTMENT, AT A COST NOT TO EXCEED SIXTY-FOUR THOUSAND NINE HUNDRED FORTY-FOUR DOLLARS AND FORTY CENTS (\$64,944.40) FROM ALAN JAY FORD LINCOLN, TO PIGGYBACK A COMPETITIVE BID AWARD BY THE FLORIDA SHERIFFS ASSOCIATION & FLORIDA ASSOCIATION OF COUNTIES, UNDER THE POLICE RATED VEHICLES/MOTORCYCLES, SEDANS & LIGHT TRUCKS BID NUMBER 13-21-0904; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Manager

10. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.

10.A. RESOLUTIONS

[TAB E]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE AWARD OF FISCAL YEAR 2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO NOT-FOR-PROFIT COMMUNITY BASED ORGANIZATIONS (CBOS); PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D/Zoning Manager

[TAB F]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SELECTION OF LIMOUSINES OF SOUTH FLORIDA, INC., FOR THE OPERATION AND MAINTENANCE OF CITYWIDE PUBLIC TRANSPORTATION SERVICES, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS OF THE REQUEST FOR PROPOSALS NO. 48-

12-13 COMMUNITY TRANSPORTATION SERVICES, AT A COST NOT TO EXCEED SIX HUNDRED FIFTY THOUSAND DOLLARS (\$650,000.00) PER YEAR; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND EXECUTE A NON-EXCLUSIVE AGREEMENT FOR THE PROVISION OF THE STATED SERVICES, FOR A TERM OF THREE (3) YEARS WITH TWO (2) OPTIONS TO RENEW THE AGREEMENT, EACH FOR A ONE (1) YEAR PERIOD; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: City Administration

Responsible Staff Person: Ruby C. Johnson, Purchasing Manager

[TAB G]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY OF NORTH MIAMI FOR THE COST OF PROVIDING RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES, AND RESIDENTIAL AND COMMERCIAL STORMWATER SERVICES AND FACILITIES; STATING THE NEED FOR SUCH LEVY; DIRECTING THE TRANSMITTAL OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Stephen E. Johnson, City Manager

[TAB H]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, EXTENDING THE HOURS FOR THE SALE OF ALCOHOLIC BEVERAGES FOR NEW YEAR'S EVE; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Sponsored by: Stephen E. Johnson, City Manager

[TAB I]

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION RECOMMENDED TRAFFIC RE-ROUTING AND ROADWAY IMPROVEMENT PROJECT ALONG PORTIONS OF WEST DIXIE HIGHWAY, NORTHEAST 6TH AVENUE, AND NORTHEAST 125TH STREET; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE THE OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT, IN SUBSTANTIALLY THE ATTACHED FORM, BETWEEN THE CITY OF NORTH MIAMI AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, TO DELINEATE THE RESPONSIBILITY FOR THE CONSTRUCTION AND MAINTENANCE OF PROJECT ROADWAY IMPROVEMENTS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

(ITEM POSTPONED TO THE JANUARY 28, 2014 COUNCIL MEETING AT THE REQUEST OF FDOT)

Sponsored by: City Administration

Responsible Staff Person: Aleem Ghany, Public Works Director

10.B. LEGISLATIVE MATTERS

10.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING

[TAB J]

PROPOSED ORDINANCE (*SECOND READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, CREATING A NEW CHAPTER 21 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES ENTITLED “CODE COMPLIANCE” TO UPDATE, ORGANIZE, AND CLARIFY THE FUNCTION OF THE CODE COMPLIANCE PROCESS FOR THE CITY OF NORTH MIAMI SUBSEQUENT TO THE RECENT AMENDMENT OF CHAPTER 2 ENTITLED “ADMINISTRATION”, RECENTLY APPROVED BY THE MAYOR AND CITY COUNCIL; PROVIDING FOR CONFLICTS, REPEAL, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Sponsored by: Regine M. Monestime, City Attorney

10.B.2. ORDINANCES – FIRST READING

[TAB K]

PROPOSED ORDINANCE (*FIRST READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING A SMALL SCALE LAND USE PLAN AMENDMENT TO THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN FUTURE LAND USE MAP, FOR THE LOTS LOCATED AT 1401 NORTHEAST 123RD STREET, OTHERWISE DESCRIBED AS A PORTION OF LOTS 9, 10 AND 11 OF BETHEA SUBDIVISION, FROM HIGH DENSITY RESIDENTIAL TO INDUSTRIAL LAND USE DESIGNATION, IN ORDER TO ALLOW FOR THE FUTURE EXPANSION OF AN EXISTING BUSINESS, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI COMPREHENSIVE PLAN; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THE SUBJECT SMALL SCALE LAND USE PLAN AMENDMENT, AS REQUIRED BY FLORIDA LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D /Zoning Manager

10.C. QUASI-JUDICIAL ITEM(s)

[TAB L]

PROPOSED ORDINANCE (*FIRST READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS,” BY AMENDING THE CITY OF NORTH MIAMI OFFICIAL ZONING MAP REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF THE LOTS LOCATED AT 1401 NORTHEAST 123RD STREET, OTHERWISE DESCRIBED AS A PORTION OF LOTS 9, 10 AND 11 OF BETHEA SUBDIVISION, FROM THE CURRENT R-6 (RESIDENTIAL) ZONING DESIGNATION TO ALLOW FOR THE FUTURE EXPANSION OF AN EXISTING BUSINESS, CONSISTENT WITH THE INTENT OF THE CITY OF NORTH MIAMI

COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

Sponsored by: City Administration

Responsible Staff Person: Tanya Wilson-Sejour, CP&D /Zoning Manager

(NOTE: Quasi-Judicial items will usually be Approve/Deny/Approve with Conditions.)

QUASI-JUDICIAL PUBLIC HEARINGS: PLEASE BE ADVISED THAT THE ABOVE ITEM(S) ON THE AGENDA ARE QUASI-JUDICIAL IN NATURE. IF YOU WISH TO COMMENT UPON ANY OF THESE ITEMS, PLEASE INDICATE THE TAB NUMBER YOU WOULD LIKE TO ADDRESS WHEN THE ANNOUNCEMENT REGARDING THE QUASI-JUDICIAL ITEM IS MADE. AN OPPORTUNITY FOR PERSON(S) TO SPEAK ON EACH ITEM WILL BE MADE AVAILABLE AFTER THE APPLICANT AND STAFF HAS MADE THEIR PRESENTATIONS ON EACH ITEM.

SWEARING IN: ALL TESTIMONY, INCLUDING PUBLIC TESTIMONY AND EVIDENCE, WILL BE MADE UNDER OATH OR AFFIRMATION. ADDITIONALLY, EACH PERSON WHO GIVES TESTIMONY MAY BE SUBJECT TO CROSS-EXAMINATION. IF YOU DO NOT WISH TO BE EITHER CROSS-EXAMINED OR SWORN, YOUR TESTIMONY WILL BE GIVEN ITS DUE WEIGHT. THE GENERAL PUBLIC WILL NOT BE PERMITTED TO CROSS-EXAMINE WITNESSES, BUT THE PUBLIC MAY REQUEST THE COUNCIL TO ASK QUESTIONS OF STAFF OR WITNESSES ON THEIR BEHALF. THE FULL AGENDA PACKET ON EACH ITEM IS HEREBY ENTERED INTO THE RECORD. PERSONS REPRESENTING ORGANIZATIONS MUST PRESENT EVIDENCE OF THEIR AUTHORITY TO SPEAK FOR THE ORGANIZATION. FURTHER DETAILS OF THE QUASI-JUDICIAL PROCEDURES MAY BE OBTAINED FROM THE CLERK. (IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER BEFORE ADDRESSING THE COUNCIL ON ANY OF THE FOLLOWING ITEMS). AT THIS TIME, COUNCILMEMBERS MUST DISCLOSE ANY EX-PARTE COMMUNICATIONS CONCERNING ANY ITEMS ON THE AGENDA. AT THIS TIME, THE CLERK WILL SWEAR IN ANY PERSON WHO WISHES TO TESTIFY ON ANY QUASI-JUDICIAL ITEM.

11. REQUESTS – PETITIONS – COMMUNICATIONS

[TAB M]

DISCUSSION REGARDING COUNCILMAN GALVIN'S OPEN CONSTITUENT INQUIRIES LIST

Sponsored by: Vice-Mayor Scott Galvin

[TAB N]

DISCUSSION AND APPROVAL FOR STAFF TO MEET WITH THE OAKS REGARDING THEIR NAME CHANGE, THEREBY AMENDING THE EXISTING LEASE TO REFLECT NAME CHANGE

Sponsored by: Stephen E. Johnson, City Manager

[TAB O]

DISCUSSION AND UPDATE REGARDING BISCAYNE LANDING SOIL REMOVAL

Sponsored by: Stephen E. Johnson, City Manager

12. COUNCIL REPORTS

Councilwoman Carol Keys, Esq.

Vice-Mayor Scott Galvin

Councilman Philippe Bien-Aime

Councilwoman Marie Erlande Steril

Mayor Lucie M. Tondreau

13. CITY CLERK'S REPORT

14. CITY ATTORNEY'S REPORT

15. CITY MANAGER'S REPORT

16. ADJOURNMENT

- THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE CITY CLERK, (305) 893-6511, Ext. 12142.
- IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL N FOUR DAYS PRIOR TO SUCH PROCEEDING. HEARING IMPAIRED MAY CONTACT THE TDD LINE AT (305) 893-7936. ANY DECISION MADE BY THE CITY OF NORTH MIAMI CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
- AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.
- IN ACCORDANCE WITH CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.
- TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING.
- THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

ALCOHOLIC BEVERAGE SYMBOLS

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

ZONING SYMBOLS

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

ZONING SYMBOLS (continue)

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District